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Chair

Mr. Dan Ruimy

Standing Committee on Industry, Science and Technology

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● (1900)

[*Translation*]

The Chair (Mr. Dan Ruimy (Pitt Meadows—Maple Ridge, Lib.)): Good evening, everyone. I hope everyone's in a good mood.

We'll begin the open-mic session. There are a few rules to follow. When you're speaking and you have 15 seconds left, I'll raise my hand to let you know. You'll have a total of 2 minutes. I know that's not long, but several people want to speak. I'm letting you know that we'll turn off the mic after two minutes. Everyone must be given a chance to speak. All interventions will be recorded for our reporting purposes.

I invite the first speaker, Nancy Marrelli.

[*English*]

Come on up. Welcome to *The Price is Right*.

Ms. Nancy Marrelli (As an Individual): I'm Nancy Marrelli. I'm here today representing the Italian-Canadian Community Archives of Quebec. We're a small archive trying to make available the documentary heritage of the Italian Canadian community.

Archives, I want to remind you, are an important stakeholder in copyright. We're not one of the giants that we've been hearing a lot from today. We may be small, but we have a mighty mandate, and we have a lot invested in copyright, because we deal with it every day.

I want to talk a little about TPMs. In the 2012 amendments, the ability to circumvent TPMs was removed for all but a very small number of exceptions. It has created a problem within the archives community. We have the right within the copyright law to reformat materials that are either obsolescent or in danger of becoming obsolescent, but if they're under digital locks with TPMs we cannot unlock those digital locks, even to perform those legal purposes that are allowed in the Copyright Act. We believe it's very important to allow archives to be able to do things that are allowed under the Copyright Act concerning TPMs.

I also want to talk a bit about orphan works. Archives have a great number of orphan works. These are works that have unlocatable or unknown copyright owners. We have a lot of them within our institutions. We believe it's important to try to find viable solutions to making these materials available on our websites for part of the documentary heritage.

Thank you.

The Chair: Thank you very much. Right on time.

[*Translation*]

The next speaker is Tyrone Benskin.

[*English*]

Welcome, sir.

Mr. Tyrone Benskin (As an Individual): Hello and thank you, committee members.

My name is Tyrone Benskin. I am here as an individual. I happen to be a member of ACTRA and sit on the ACTRA branch council. As a few of you may know, I'm also a former parliamentarian. I sat on the heritage committee and was actually a part of the committee that studied this act as it was coming into force.

I'm going to underline and reiterate something that Martin Lavallée put forward, which is to remember that the focus and point of the Copyright Act, or *Loi sur le droit d'auteur* as it's known in French—the right of the author, is to protect the rights of authors.

There has been an attempt to find this balance between users and authors. Although I understand where that comes from, the main focus of the Copyright Act has to be to protect the rights of the creators. Without those protections it is very hard for creators to become self-sufficient and to continue to create on their own. Creators include writers, musicians, and so forth, as well as audiovisual creators, which the Copyright Act at this point does not cover.

We need to keep the focus on those creators, on the rights of those creators, on how we can find ways to make sure they get the best use out of their products and creations, and on ensuring that consumers have the best quality and the best access to those creations.

Thank you.

● (1905)

The Chair: Thank you very much.

[*Translation*]

Good evening.

Mr. Alain Brunet (Journalist, As an Individual): Good evening.

I'm a journalist with *La Presse*. Obviously, you know what happened today. I don't really want to express an opinion on the matter because I'd be somewhat in a conflict of interest. If I want to write about it, I can't say too much. I tell you, though, that I totally support what our representative from the *Fédération nationale des communications*, Ms. St-Onge, stated.

What's happening in the print media at this time is entirely linked to the online phenomenon regarding quality content, whether in the field of music, audiovisual, print media, scientific literature, information in general or education. This decline began about 18 years ago and will continue if there are not major changes and political will from the current government or subsequent governments. Politicians are responsible for revising this copyright law and for reviewing other binding cultural policies regarding Google, Amazon and Facebook. These people don't share and they pocket amounts from outside this country with impunity. I think that this government and subsequent governments will bear the responsibility.

The Chair: Thank you very much.

I invite Julien Bidar to speak.

Mr. Julien Bidar (President, Éditions Outloud, As an Individual): Good evening. Thank you for having me.

My name's Julien Bidar and I'm President of *Les Éditions Outloud*. Outloud is a publishing company created four years ago. Our mission is to develop and promote the creation of Canadian content. As a publisher, we depend directly on the Copyright Act and the environment that act creates for us. To cite Ministers Joly and Bains, [translation] "an effective copyright system should foster a market and an environment in which all users have access to content [... while] allowing creators to turn their successes into a way of making a living." As such, I've noted several inefficiencies in the Copyright Act as it's currently written.

The first point raised previously was related to dysfunctions of the Copyright Board Canada; I can't spend too much time on that. Several possible solutions were raised in the recommendations by the coalition for a Canadian music policy.

The second point is related to the importance of modernizing the Copyright Act to make it consistent with the market and users' consumer habits. I find that there are two important points in this regard. The first is related to private copying. I wonder how it's conceivable that the private copy system has stopped collecting royalties on blank CDs and DVDs, when music is no longer really consumed on those media and has evolved to the use of cellular phones and iPods, for example. In my view, the argument that the cost would be passed on to the consumer if royalties were collected on those media is not really valid because a European study has shown that a cellular telephone sells at the same price whether or not a royalty is collected. The second point is related to intermediaries; we have already discussed this at length. It would be good to find a solution in this regard.

● (1910)

The Chair: Thank you very much.

I now invite Pierre-Michel Tremblay to speak.

Mr. Pierre-Michel Tremblay (Writer, As an Individual): Good evening. My name's Pierre-Michel Tremblay.

For over 30 years, I've been writing for theatre, television, comedy shows and, to a lesser degree, movies. The first fields mentioned already keep me fairly busy. Over those 30-some-odd years, I've often practiced my art by means of a copyright. When we write a project that doesn't yet exist in the public space, that generates very little income. It's the works that are circulated and disseminated that help create future income, partly through copyrights. If I'm here speaking to you this evening, it's because I feel it's essential to remind the government that creators need a copyright law that protects them, that ensures that they can continue to create, despite the upheavals caused by the advent of digital. That's what creators expect from the review of the act.

Imagine a profession where, for more than 30 years, a professional saw almost no improvement in the increase of income. That seems unthinkable for the vast majority of professionals and, yet, that's what my author colleagues and I are experiencing. Worse still, our income from our rights have fallen since the modernization of the act in 2012 that, in particular, recognized a range of copyright exceptions, including certain educational institutions, that thus deprived authors of pay that was to come from the use of their works. The review that is underway must be used to correct the situation so that the act does what it's supposed to do, namely protect authors and given them the means to continue creating and thus contribute to Quebec and Canada's internationally recognized culture.

Thank you for listening to me.

The Chair: Thank you very much.

Mr. Martin Vallières, you have the floor.

Mr. Martin Vallières (Vice-President, Éditions CEC, As an Individual): Good evening.

My name's Martin Vallières. I'm Vice-President of *Les Éditions CEC*. I'm in charge of the elementary and secondary sectors. I also handle digital development.

I'm very concerned about the digital issue, as well as exceptions for education. I don't know if you're aware, but the Government of Quebec recently announced an investment of $168 million in a digital action plan for education. Within five years, nearly $1 billion will be invested in that action plan, in infrastructure and in training. That's important to us.

Regarding the digital age that is at our doorstep, it's not at our doorsteps. It's in our schools, and that will accelerate significantly. You know, there is a trend that you're probably aware of, namely digital platforms for sharing content among students and teachers, and between students and professors. It's pretty well the fashion and it will certainly increase with companies like Google offering sharing platforms, along with many others. Even school boards have their own platforms.

Imagine all that with the education exceptions in the Copyright Act. In that context, it seems clear to me that those systems, those facilitators of content dissemination can jeopardize the capacity of a publishing house, which is a privileged place for creation, to recover its investments, which are increasingly huge due, in fact, to the digital age. There is a demand for more, consumers want more. It takes more multimedia content and a lot of other things. Those creators, our authors, are also entitled to their fair share. If we don't remove those education exceptions, that's what I think will happen.

Also, don't forget citizenship education at school. What do we want to teach our young people when our own country promotes users and consumerism over creators and cultural heritage? Doesn't the promotion of knowledge start with respect for copyrights, with no exception?

The Chair: Thank you very much.

I now invite Emmanuelle Bruno to speak.

Ms. Emmanuelle Bruno (As an Individual): Good evening.

My name's Emmanuelle Bruno and I also work at *Les Éditions CEC*, an educational publishing company. I handle the college sector and publications for our clientele outside Quebec.

An innovative society that wants to stand out culturally, that places value on the creation of original content and wants to assume its place in a knowledge economy cannot allow itself to have a copyright law that does not properly protect the authors and the content. It's sad to see that the current act does not create a healthy environment conducive to investment and creation. The act hurts all actors in the publishing industry. Over the short term, it's the authors, publishers and distributors who've suffered the most. Over the long term — it's important to remember and note — it'll be Canadian users who will ask later: why isn't there more Canadian content? francophone and anglophone cultures in Canada are threatened.

At a time when literacy is an issue, a Canadian challenge, the government's concern must be to ensure that all systems in place work together so that we're heading in the same direction. The act creates an unwarranted imbalance and makes Canada a country that favours an unfair legislative framework, the application of which remains unclear and arbitrary on a principle as important as fair use and that ignores the very principles of copyright. It would certainly have been better to stand out differently. It's time to return to a fair balance for everyone.

In Quebec, they are lucky to have Copibec, which provides a framework for the management of reproductions. The same questions should be asked for the rest of Canada.

● (1915)

The Chair: Thank you very much.

I invite Eli MacLaren to speak.

[*English*]

Mr. Eli MacLaren (Assistant Professor, Department of Literature, McGill University, As an Individual): Good evening.

I teach Canadian literature at McGill University. I'm the author of an academic book on the history of copyright in Canada. I was also the editor of a scholarly journal for five years, and I know that revenue streams are important to publishing.

Nevertheless, I would like to speak in favour of fair dealing.

Last month I published the results of a two-year study. The article is called "Copyright and Poetry in Twenty-First-Century Canada" and it appeared in the journal *Canadian Literature*. The basic questions behind the study were how Canadian poets make their living, and whether fair dealing deprives them of their livelihood.

I worked with a team of four research assistants. Our method was to read contemporary poetry, reach out to the authors to share our readings, and then invite them to take our online survey. The method was effective in reinforcing an important principle: poets and teachers of poetry are not enemies. We are partners in maintaining the culture of poetry in this country.

Forty-eight poets responded to our survey. Their annual income earned as a writer, on average, was about $13,000, or 18% of their total household income. It came from the following sources, listed in order of importance. Over two-thirds of what they earned came from government grants. Second most important were writer-in-residence programs, followed by public readings, editing and jury work, public lending rights, and finally, royalties on book sales, payments from magazines, and payments from copyright collectives.

On average, the percentage of the poet's household income coming from commercial sources governed by copyright was around 2%.

My conclusion is that poets today do not derive much income from the free market. Meanwhile, fair dealing provisions for education help us teach their poetry.

I'd like to ask if the committee is going to hear from more teachers and professors over the course of its consultations, because there are none speaking today.

Thank you.

The Chair: Thank you.

Sylvie Van Brabant.

[*Translation*]

Mrs. Sylvie Van Brabant (Founding President, Productions du Rapide-Blanc, As an Individual): Good evening.

My name's Sylvie Van Brabant. I've been the founding President of *Productions du Rapide-Blanc* since 1984. It's a documentary production company that has received numerous awards here and elsewhere, recognized for the quality of its works and for its undeniable social impact on the movie theatre market and the institutional and educational sector.

We take part in many viewings followed by question and answer sessions. We also sell our films to consumers and the educational and institutional sector.

For example, in 2010, we distributed the film *Chercher le courant*, a film with Roy Dupuis that questions the development of the Romaine River and that presents solutions for green energy in Quebec. The film was sold in the educational and institutional sector 146 times for a total of $23,150. That was before the Harper government bill killed the educational market for us in Canada.

Four years later, in 2014, we distributed the feature film by Dominic Champagne, *Anticosti, la chasse au pétrole extrême*. The film had the same potential of being of interest to educational institutions in Quebec and Canada, but the market wasn't the same. That film saw 17 institutional sales for a total of $3,325, representing a loss of $20,000, an amount that would have been very beneficial for an SME like ours. It's no longer possible for us to hire a full-time person for distribution work.

Other equally important films from an educational perspective, such as *Le Nord au coeur*, with geographer Louis-Edmond Hamelin, and *Le chantier des possibles*, which follows the evolution of a building being erected in Pointe-Sainte-Charles that is much discussed these days, suffered from the same phenomenon.

The sales are no longer there. Teachers buy the films at Archambault for $25 instead of the institutional licence of $250.

In 2016, I attended a workshop on distribution with the American group BOND/360, located in New York, which distributes about forty of the best documentaries produced over the last few years. They're documentaries like ours, examining societal issues, and that are just as important to the educational and institutional sector. They confirmed that a third of their income is from the institutional educational sector in the United States, a market that must be available again in Canada.

Thank you very much for listening.

● (1920)

The Chair: Thank you very much.

Melikah Abdelmoumen has the floor.

Ms. Melikah Abdelmoumen (As an Individual): Good evening.

My name's Melikah Abdelmoumen. I'm a writer, researcher, editor and teacher. I do all these jobs at once, freelance, to complement the almost non-existent income from my nine books, two of which were published in France, one won an award at the *Salon du Livre du Saguenay—Lac-Saint-Jean*, and another was a finalist for the *Prix Littéraire des collégiens*.

I'll give a concrete example and, in this, I'm a lot like some of my other colleagues who are not the worst off among us. My last book, which is quite successful right now and is well recognized, cost me five years of work. If I sell 1,000 copies, I will receive less than $2,500 in income for five years of work. That book is educational and social in nature, being a story that fights exclusion, xenophobia and social discrimination, based on my experience with immigration in France, where I lived for 12 years, and defending what I think are values that Canada says it proudly represents. My only hope is that it earns enough income to let me find the time to write another, and that it be included in educational programs, in whole or in part, and is distributed as much as possible.

Actually, the fact that it is suitable for teaching is exactly the reason that I won't receive income from it, unless the government rectifies the situation. To do so, it must redefine the term "education" in section 29 of the act to put an end to the abusive use of our works. With that change, writers like me could finally being receiving meaningful royalties paid by collective management companies like Copibec.

As a lecturer, thus a professor, at UQAM, I carefully report copies that I make of every text I teach because, without that material that cost the writers time, sweat and work, I would quite simply not have any material to transmit. Students to whom I've explained this reacted favourably, considering that it is a matter not only of survival for the writers whose work they're reading, but is also at the very heart of what they're studying. I would like the act to have the courage of not betraying these future citizens, to whom we're trying to teach the value of intellectual work and respect for the work of others; in short, make them responsible citizens who respect the values of our society, values that we are supposed to defend.

The Chair: Thank you very much.

Luc Fortin now has the floor.

Mr. Luc Fortin (Musician, As an Individual): Good evening. Thank you for having me this evening.

My name's Luc Fortin. I'm a professional musician, a guitar player. In my career, I have released seven albums of so-called niche music, instrumental world jazz music. Those albums are distributed digitally around the world on dozens of platforms. I receive almost nothing in rights from sound recordings distributed digitally, about $2 per quarter, which doesn't allow for investment in future projects.

That is despite the fact that, at one point, one of my albums reached a decent spot on iTunes charts in the world music niche. How can investments be made in original content if, once on Spotify, it can be listened to thousands of times and earn only a few dollars for the rights holders? Composers lose a lot there, and performers who were entitled to fair compensation for radio broadcast receive nothing for distributions on Spotify, iTunes Music and others.

So, we also realize that diversity and originality are drowned in an infinite cloud of works available at almost no cost, but that generate almost no income for the rights holders. As such, long and profitable careers for original and innovative creators will unfortunately become a rare exception. it was possible to live, even modestly, from so-called niche music without necessarily aiming for huge commercial success. There was a kind of middle class of musicians who received decent income when their music was sold and distributed, even on a modest scale.

Today, the typical inequalities of extreme capitalism have been reproduced in music with the 1% of the ultra-rich who leave crumbs for the remaining 99%. I quote, with permission from the author — and I'm using the education exception here — Montréal music columnist Alain Brunet, who published a book entitled *La misère des niches*: [translation] "Spotify, Netflix and Amazon offer their users vast content, YouTube and Facebook circulate billions of videos—created by hundreds of thousands of amateurs and impoverished professionals."

● (1925)

The Chair: Thank you, but I must stop you here. I'm sorry, but other people want to testify.

Mr. Pierre Lapointe, you have the floor.

Mr. Pierre Lapointe (Author-Composer and Co-producer of shows, As an Individual): Good evening.

My name's Pierre Lapointe. I'm an author-composer-performer and co-producer of shows.

I'm 37 years old. I began in this work in 2001 and I've seen my field of work deteriorate phenomenally over the last 18 years. To give you a concrete example, I had a big francophone number one hit in Canada with *La forêt des mal-aimés* in 2006. We're talking 32,000 copies in one week, which was extraordinary. I had a number one in 2017, last October, when I released my last album, *La science du coeur*. A number one in Canada in 2017 as a francophone means 5,600 copies. Eight months later, we're at about 20,000 copies. For an album like *La forêt des mal-aimés*, in 2006, we're talking 200,000 copies.

At the time, we could rely on shows and records for income. Today, that's not the case. I feel a sense of great urgency and I don't see that in the government, regardless of which one is in power, whether the Conservatives who were there before or the Liberals who are there now. I find it completely absurd that governments do not protect Canadian creators. We are a small country on the world stage and, if we don't promote Canadian creators, in a few years, we'll really regret it.

You have the power to change things. Do it quickly. Spotify has just gone public. Do you have any idea of the value of a Spotify logo? Have you tried to quantify the value of Canadian content that has not been paid to Canadian creators to increase the value of the Spotify logo? Think about iTunes and YouTube. They're laughing at us. That's money that's leaving Canada and that won't come back to the pockets of Canada.

I just want to tell you one thing: move fast, because I'm still able to live well with copyrights, but with a million streams on Spotify, I earned $500. That's $500 for a million streams. If I'm receiving $500 for a million streams, I'm not mentioning others who are not as well known as me.

That's all I have to say.

The Chair: Thank you.

David Bussières, you have the floor.

Mr. David Buissières (Author-Composer-Performer, As an Individual): Good evening.

My name's David Bussières. I'm an author-composer-performer with the duo Alfa Rococo, and I'm also the founder and spokesperson for RAM, the *Regroupement des artisans de la musique*.

Like Mr. Pierre Lapointe before me, I'd also like to provide my numbers. I do thorough research with my royalty statements for a song to find out that, after generating 30,000 streams on Spotify, we received $8.50, while we hold all copyrights. In answer to the question: how much is a stream worth? I reached this figure: 0.03¢ per stream. On YouTube, after generating 60,000 views, we received $151.37, or 0.5¢ per view.

We can see, as Mr. Lapointe stated before me, that when physical and digital record sales completely vanish, and that day is at our doorstep, copyright royalties will far from make up for the lost income. Streaming is a perfect system for users. Who doesn't dream of having the world's music library at their fingertips? For artists and the industry, it's something else. If you're an international star promoted by a major label and a billion streams are generated per song, it still works, but if you create music in Canada, and particularly francophone music in Quebec, where even the biggest hits struggle to reach a million streams because of the limited size of our market, it's a catastrophe.

I believe that the reform of the Copyright Act is a matter of life and death for artists here. It's urgent and it must also include a reform of the Telecommunications Act and an update to the private copying system so Internet service providers and device manufacturers are also required to contribute to compensation for creators here. People have never spent so much to have access to music. Unfortunately, their money is going to corporations that make enormous profits on the backs of the creators.

● (1930)

The Chair: Thank you very much

Adam Lackman, you have the floor.

[*English*]

Mr. Adam Lackman (As an Individual): My name is Adam Lackman. I ran a platform called TV ADDONS. You may or may not have heard of it. Last summer, Bell, Videotron, TVA, and Rogers initiated a lawsuit against me. They were able to get an *ex parte* motion that allowed them to receive an Anton Piller order, which allowed them to enter my home, seize every bit of my property of value, and that was it. Six days later we had an appearance in court. I won. The judge said that the true purpose of the search was to destroy my livelihood and not actually to enforce copyright.

In the United States there's the DMCA process, which mandates a take-down notice system, meaning if you run an online platform and end users, regular people, put up something infringing, they have to notify you before initiating legal action. My platform did not host any content. It did not link to any content. What my platform offered was the ability for software developers to upload apps which would scrape content from external, unaffiliated online sources. You could make an app that would scrape YouTube content and display it on your TV. You can make an app that would show Donald Trump's tweets on your TV every time he would tweet.

Basically we had over 1,500 add-ons on the system, and supposedly, according to them, fewer than 12 were infringing. Nonetheless, even after we won in court, on a Sunday after Canada Day, they received a stay of execution. The stay of execution meant they didn't have to return any of my property until the appeal. The appeal took about six months to be heard. By then I already had about $200,000 in legal fees, even though we had won initially in court. We actually had to go to Ottawa for the stay of execution hearing.

We eventually went to the appeal. We lost the appeal. It took months for us to find out. Without a notice system in Canada, there's nothing protecting legitimate, honest, neutral online platforms from being pursued by copyright bullies who look to maintain their monopolies while they take advantage of Canadian content creators and whatnot.

Thank you very much.

The Chair: Thank you very much.

Matis Allali.

[*Translation*]

Mr. Matis Allali (General Secretary, Fédération des associations étudiantes du campus de l'Université de Montréal, As an Individual): Good evening.

My name's Matis Allali. I'm Secretary General of the FAÉCUM, the "Fédération des associations étudiantes du campus de l'Université de Montréal". We represent 40,000 undergraduate and graduate students at the Université de Montréal.

You'll understand that I'm here to talk to you about the fair dealing exception for educational purposes. I will not go on at length about the reasons that exception must be maintained. I'll instead come back to the arguments that are often used in claiming that it must be removed.

We often hear that fair dealing for educational purposes reduced income for creators and that universities spend less on copyrighted content. Let me reassure you. This year, at the "Université de Montréal", $3 million will be invested for the purchase of copyrighted materials, $500,000 more than last year. So, despite fair dealing for educational purposes, budgets for the purchase of copyrighted material are being increased. In the same sense, I would remind you that, in 2015, school manuals still represented the second largest category of monographs purchased in Canada.

That said, protecting the rights of content creators is an important issue. Their financial instability is important. However, the solution is not in the pockets of students. They are also facing financial instability. It's not in going through the pockets of people who are having trouble making ends meet that we'll correct the situation of people in the same situation. I think that we can reflect on this situation without removing the principle of fair dealing for educational purposes, and that we can do better.

In 2004, in its decision in CCH Canadian Ltd. v. Law Society of Upper Canada, the Supreme Court of Canada reaffirmed that the Copyright Act must create a balance between the rights of creators and the rights of users. That is exactly why fair dealing for educational purposes must be maintained. That exemption maintains the balance between the rights of creators and the rights of users.

The situation regarding creators' needs won't be resolved by going through the pockets of students.

● (1935)

The Chair: Thank you very much.

We will now hear from Jean Lachapelle.

Mr. Jean Lachapelle (Editor, As an Individual): Mr. Chair, members of this committee, my name is Jean Lachapelle.

I am both a publisher and the owner of an SME that publishes educational teaching materials for early childhood, primary and secondary, in particular.

We are her to review the law passed in 2012. In 2012, at no time did all the actors in the book chain ask to upend one of the very foundations of our Canadian democratic society, namely respect for copyrights. That right protects the creators of intellectual content of all other types. All the exceptions that were included in the law in 2012 had a harmful, devastating effect for the publishing sector. Our profession has suffered a lot and is still suffering.

It has been discussed before me, the famous exception for fair dealing for educational purposes alone is responsible for $30 million in losses for the reproduction of excerpts of works in school systems in Canada and in Quebec.

I just want to draw a link to Copibec, the collective copyright management company, which also has a partnership with Access Copyright, which you surely know in the rest of Canada. Copibec royalties paid to authors haven fallen by 15% since the beginning and, in the rest of Canada, royalties paid by Access Copyright have fallen by 80%. So I think those kinds of numbers show that the education sector must be protected.

The Chair: Thank you very much.

I now invite Julie Barlow to speak.

[*English*]

Ms. Julie Barlow (Writer, As an Individual): Good evening. I'm a non-fiction writer and a magazine journalist. I've been a freelance writer for 25 years now and earn most of my money from copyright. Many people have mentioned figures about the decrease in revenues from copyrights since 2012. I just wanted to speak to you a bit about how concretely that plays out.

When I began as a magazine journalist, I sold first rights for my work, which means that people who bought the first rights were able to publish what I wrote by preserve of the copyright, which is my property. Some people own buildings. I own property. It's called copyright. What's happened since, let's say, the mid to late 1990s and early 2000s is called a rights grab in the magazine industry, which means that in effect, I'm forced to sell that copyright without any more money.

By the way, the starting amount that a freelance journalist earns per page now is the same as it was in the 1970s. There's a pressure on industry. There's no increase in revenues, and writers are forced to sell all of their copyright in one shot in these contracts that take everything, including moral rights, which means people can buy my work and do whatever they want with it. That's the situation for freelance writers right now.

I'm also a non-fiction book author. Of course, most of my revenue as a book author comes from book advances, which are just copyright royalties ahead of time. The situation in the book world means that if I google one of my books—and my books have been good enough sellers for me to earn a decent living—I find a quarter of the Google entries are illegal downloads. This is in an industry, again, where book advances are falling and there's less money to begin with.

Thank you.

● (1940)

The Chair: Thank you very much.

Our last speaker is David Murphy.

[*Translation*]

Mr. David Murphy (Music Editor, As an Individual): Good evening.

My name's David Murphy. I'm a music editor in the Magog area. We have about a hundred clients and we represent people ranging from Gilles Vigneault to Marie-Mai and companies from "Équipe Spectra" to "ComediHa!" in Quebec. We thus represent film and television writers, composers and producers.

The environment in which we work is uncertain and it's caused by the time it takes the Copyright Board to reach its decisions. I think that was mentioned several times, but I wanted to mention it because it's harmful to entrepreneurs like me who wait years before receiving their royalties. It's also harmful to users. They are beginning using content and they don't know exactly how much royalties they'll pay.

The basic principle in the Copyright Act is that use requires payment. In private copying, it's exactly the same thing. A system was created in 1996 that applied — in fact, it no longer exists — to CDs and DVDs. We now want to extend it where there are uses and private copying, namely cell phones, laptops and tablets. Someone in the room spoke about the European study, which I also read, in which the addition of...

The Chair: You have 10 seconds.

Mr. David Murphy: Thank you.

The Chair: Thank you everyone.

It's hard. We have a lot to do and there are several testimonies. We want to hear from as many people as possible. All the testimonies today have been recorded. Our analysts do very good work in retrieving the information.

If you want, you can submit a brief memorandum on our website. It is important for us to hear as many people as possible.

I thank you very much and wish you a good evening.

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